TABLE OF CONTENTS

SH 2486168

G (2) Photographs of Deputy [redacted]s Radio Antenna provided by Witness Trevillyan.

H Interview Photograph marked by Witness Trevillyan.

I Foot Pursuit Package Documents submitted by Witness De Jong.

MISCELLANEOUS DOCUMENTS

Incident Report URN #919-06804-2607-091

Incident Report URN #919-07984-2636-093

Almanac Record for Pearblossom on June 14, 2019, The Old Farmer's Almanac, https://www.almanac.com/astronomy/sun-rise-and-set/zipcode/93553/2019-06-14

Contact letters to (3) reported addresses for Suspect Ball.

Voicemail notification record for IAB Investigator Cunningham on July 24, 2021 from (Suspect Ball's) phone number (661) 300-9621.

Deputy Daily Worksheets for June 14, 2019 of:

- Deputy [redacted] and Witness Trevillyan (Unit 268S),
- Witness [redacted] (Unit [redacted]),
- Witness Mrakich (Unit 261S),
- Deputies Christopher Ogden #625597 and William Warner #540741 (Unit 265A).

Deputy Marshall and Witness Trevillyan's (Unit 268S) Unit History Report for June 14, 2019

Palmdale Station PM Shift In-Service for June 14, 2019

Timecard records for Deputy [redacted] and Witness Trevillyan for June 14, 2019

Shooting Qualification and Training Records for Deputy [redacted]

POST Training Records for Deputy [redacted]

Administrative Rights Force/Shooting Investigation Forms signed by:

- Deputy [redacted]
- Witness Trevillyan,
- Witness [redacted] r
- Witness Mrakich,
- Witness De Jong

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
June 14, 2019	North Patrol Division / Palmdale Station	☐	☑

Incident Information

URN: 019-08458-2660-152	Date: Friday June 14, 2019 — Time: 1900 Hours
City or Station: Pearblossom	Nature of Incident: Deputies attempted to detain the suspect. The suspect ran from deputies and a foot pursuit ensued. The suspect produced a replica firearm and a deputy involved shooting occurred.
Location: [redacted] 133rd Street East, Pearblossom, California, 93550	

Location Type (*check one or more*):
☐ Backyard
☐ Beach
☐ Business
☐ Freeway
☐ Industrial
☐ Park
☐ Parking Lot
☐ Residence
☑ Rural
☐ School
☐ Street
Other:

Lighting (*check only one*):
☐ Darkness
☑ Daylight
☐ Other
☐ Street Lights

Weather (*circle only one*):
☑ Clear
☐ Cloudy
☐ Fog
☐ Rain

Distance: Approximately 30ft

Incident Type (*check one or more*):
☐ Accidental
☑ Armed Person
☑ Fleeing Suspect
☑ Foot Pursuit
☐ Gun Take Away
☐ Moving Vehicle
☐ Sniper/Ambush
☐ Startle
☐ Struggle Involved
☑ Traffic Stop
☐ Unarmed Person
☐ Unintentional
☐ Vehicle Pursuit
☐ Warrant Service
☐ Warning Shot
Other:

Initiated by (*check only one*):
☐ Arrest Warrant
☐ Call
☑ Observation
☐ One Person Unit
☐ Other
☐ Search Warrant
☐ Two Person Unit

Prior Activity (*check only one*):
☐ Detective
☐ Inmate Transport
☐ Other
☑ Routine Patrol

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect	Aero Unit?	Canine Unit?
1	0	☐	☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*check only one*)	ShiftType (*check only one*)
[redacted]	Trevillyan	Jason	C.	☐ EM ☑ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty
[redacted]	[redacted]	[redacted]	[redacted]	☐ EM [redacted]M ☐ Day	☐ Regular [redacted]vertime ☐ Off Duty
[redacted]	Mrakich	Marc	R.	☐ EM ☑ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty

Non-Employee Witnesses

Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph

Supervisors

Employee #	Last Name	First Name	M.I.	(*check one or more*)
[redacted]	Mrakich	Marc	R.	☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting
[redacted]	[redacted]	[redacted]	[redacted]	☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	[redacted]	[redacted]	[redacted]

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	De Jong	Steven	R.

PSTD Use Only

SH # 2486168

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.		
De Jong	Steven	R.		
Street Address	**Zip Code**	**Work Ph**	**Home Ph**	
750 E Avenue Q	93550	661-272-2400		

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Officer Involved Shooting

URN: 019-08458-2660-152

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
06/14/2019	2245	06/14/2019	06/14/2019

Employee #	Last Name	First Name	M.I.
[redacted]	Dinh	Minh	G.
[redacted]	Camacho	Omar	
[redacted]	Steele	John	M.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED (one code per block)

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S1	E1	UC					NN	
S1	E2	FO	ZZ	WW			NN	
E1	S1	FH	SW	9	Y	Y	GS	SH

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 019-08458-2660-152

Involved Employee

E 1

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Sex: [redacted] Race: [redacted]	Rank: DSG	Unit Assignment: Palmdale Station	Work Assignment (Unit #, Module, etc.): [redacted]
ShiftTime (*circle only one*): ☐ EM ☑ PM ☐ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used: -
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☑
Hrs of sleep prior to shooting: 8 / Age: [redacted] Height: [redacted]	Duty Time (hrs): 5 / Weight: [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors: None
Range Qualification Date: [redacted]		PPC Qualification Date: [redacted]	Laser Training Date: [redacted]
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted] / Prior Shootings? [redacted]	Number of Prior Shootings: [redacted] / Directed Force: [redacted]
Weapons Fired Brand: S&W M&P	Caliber 9mm	# Shots 1	Weapons Fired Brand: / Caliber / # Shots
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E ___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting: / Age: Height:	Duty Time (hrs): / Weight:	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest	Other Factors:
Range Qualification Date:		PPC Qualification Date:	Laser Training Date:
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit: / Prior Shootings? ☐	Number of Prior Shootings: / Directed Force: ☐
Weapons Fired Brand:	Caliber	# Shots	Weapons Fired Brand: / Caliber / # Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E ___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting: / Age: Height:	Duty Time (hrs): / Weight:	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest	Other Factors:
Range Qualification Date:		PPC Qualification Date:	Laser Training Date:
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit: / Prior Shootings? ☐	Number of Prior Shootings: / Directed Force: ☐
Weapons Fired Brand:	Caliber	# Shots	Weapons Fired Brand: / Caliber / # Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

See Other Side

Officer Involved Shooting
Suspect Information

URN: 019-08458-2660-152

Suspect Information

S 1

Last Name: Ball	First Name: Robert	M.I.: M.
AKA Last Name: Moniker	First Name: "Kidd"	M.I.:

Sex: M Race: W	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 30 D.O.B. 03/31/1989	Height: 5'10 Weight: 175	FBI #: [redacted]	CII #: [redacted]
Booking # 5659214	Primary Charge: 10851(a) VC	Secondary Charge: 2800.2 VC	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☑	Apprehended? ☑	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make: Model:	Year:	Parole: [redacted] Probation: [redacted]	Prior Felony Conviction: [redacted]

S

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make: Model:	Year:	Parole: Probation:	Prior Felony Conviction:

S

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make: Model:	Year:	Parole: Probation:	Prior Felony Conviction:

S

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make: Model:	Year:	Parole: Probation:	Prior Felony Conviction:

See Other Side

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT: **On-Duty Hit Shooting, Suspect Injured**

IAB FILE NUMBER: **SH 2486168**

URN: **019-08458-2660-152**

DATE/TIME: **June 14, 2019 / 1900 hours**

LOCATION: [redacted] **133rd Street East, Pearblossom, California 93553**

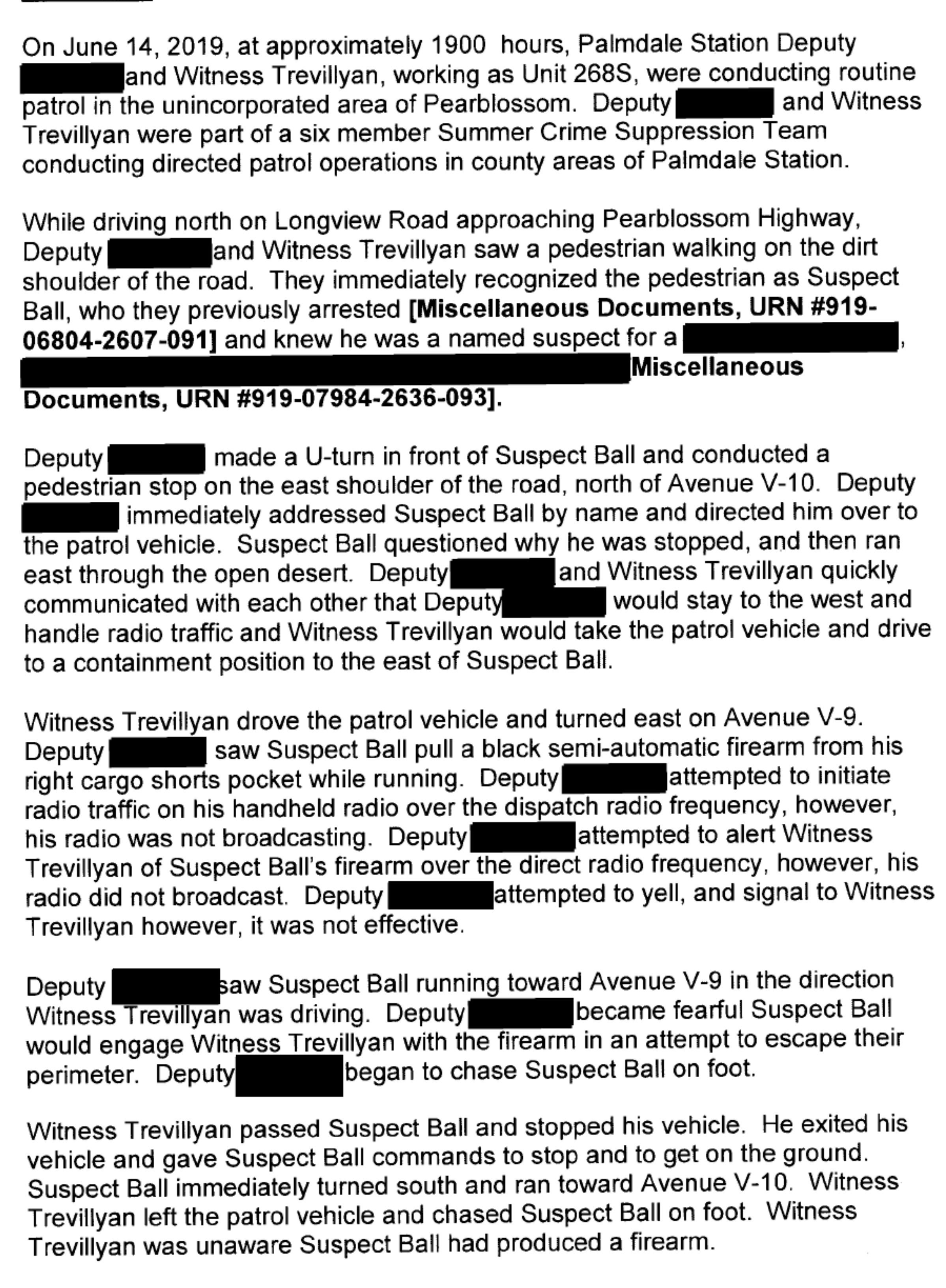
SYNOPSIS:

On Friday, June 14, 2019, Internal Affairs Bureau (IAB) Sergeants Omar Camacho, John Steele, and Lieutenant Minh Dinh responded to Pearblossom, California, regarding an on-duty deputy involved hit shooting incident. On June 4, 2020, this case was reassigned to Sergeant Jason Cunningham.

Deputy [redacted] and Sergeant Jason Trevillyan (Witness Trevillyan) attempted to conduct a pedestrian stop of Suspect Robert Ball. During a foot pursuit, the suspect turned and pointed a firearm at Witness Trevillyan, and a deputy involved shooting occurred. Suspect Ball was struck in the right shoulder. Suspect Ball was transported to Antelope Valley Hospital where he was treated for his injuries and cleared for booking.

The on-duty watch commander, Lieutenant Steven De Jong (Witness De Jong), took reasonable steps to ensure the involved and witness personnel did not discuss the incident among themselves, or with uninvolved persons, prior to being interviewed by the assigned investigators. Additionally, the involved and witness personnel did not collectively consult with their attorneys or union representatives. The involved and witness personnel were gathered in the company of a supervisor until they provided their statements to the assigned investigators.

Homicide Detectives Alfred Jaime and David Gunner arrived and assumed control of the shooting investigation. For further information, refer to the shooting investigation, under Homicide Bureau casebook under URN #019-08458-2660-152 **[EXHIBIT A, Homicide Case Book]**.



SUMMARY

On June 14, 2019, at approximately 1900 hours, Palmdale Station Deputy [redacted] and Witness Trevillyan, working as Unit 268S, were conducting routine patrol in the unincorporated area of Pearblossom. Deputy [redacted] and Witness Trevillyan were part of a six member Summer Crime Suppression Team conducting directed patrol operations in county areas of Palmdale Station.

While driving north on Longview Road approaching Pearblossom Highway, Deputy [redacted] and Witness Trevillyan saw a pedestrian walking on the dirt shoulder of the road. They immediately recognized the pedestrian as Suspect Ball, who they previously arrested **[Miscellaneous Documents, URN #919-06804-2607-091]** and knew he was a named suspect for a [redacted], [redacted] **Miscellaneous Documents, URN #919-07984-2636-093].**

Deputy [redacted] made a U-turn in front of Suspect Ball and conducted a pedestrian stop on the east shoulder of the road, north of Avenue V-10. Deputy [redacted] immediately addressed Suspect Ball by name and directed him over to the patrol vehicle. Suspect Ball questioned why he was stopped, and then ran east through the open desert. Deputy [redacted] and Witness Trevillyan quickly communicated with each other that Deputy [redacted] would stay to the west and handle radio traffic and Witness Trevillyan would take the patrol vehicle and drive to a containment position to the east of Suspect Ball.

Witness Trevillyan drove the patrol vehicle and turned east on Avenue V-9. Deputy [redacted] saw Suspect Ball pull a black semi-automatic firearm from his right cargo shorts pocket while running. Deputy [redacted] attempted to initiate radio traffic on his handheld radio over the dispatch radio frequency, however, his radio was not broadcasting. Deputy [redacted] attempted to alert Witness Trevillyan of Suspect Ball's firearm over the direct radio frequency, however, his radio did not broadcast. Deputy [redacted] attempted to yell, and signal to Witness Trevillyan however, it was not effective.

Deputy [redacted] saw Suspect Ball running toward Avenue V-9 in the direction Witness Trevillyan was driving. Deputy [redacted] became fearful Suspect Ball would engage Witness Trevillyan with the firearm in an attempt to escape their perimeter. Deputy [redacted] began to chase Suspect Ball on foot.

Witness Trevillyan passed Suspect Ball and stopped his vehicle. He exited his vehicle and gave Suspect Ball commands to stop and to get on the ground. Suspect Ball immediately turned south and ran toward Avenue V-10. Witness Trevillyan left the patrol vehicle and chased Suspect Ball on foot. Witness Trevillyan was unaware Suspect Ball had produced a firearm.

Suspect Ball climbed a five to six foot tall chain link fence into a fenced area south of Avenue V-10 and fell to the ground on the opposite side. Witness Trevillyan approached Avenue V-10 and attempted to detain Suspect Ball at gunpoint. Witness Trevillyan noticed Suspect Ball dropped a firearm and a cellphone when he fell to the ground. Suspect Ball immediately got up, recovered the firearm and ran southeast inside the fence line, parallel to 133rd Street. Deputy [redacted] approached from the west and climbed over the chain link fence, approximately 30 yards from where Suspect Ball had entered the property.

Deputy [redacted] approached Witness Trevillyan and they had a brief verbal exchange through the chain link fence. Witness Trevillyan asked Deputy [redacted] why he did not initiate a radio broadcast. Deputy [redacted] explained his radio was not working. Deputy [redacted] told Witness Trevillyan he needed to broadcast over his radio. Witness Trevillyan and Deputy [redacted] advised each other Suspect ball was in possession of a firearm. Witness Trevillyan initiated an emergent radio broadcast over the Duplex Patch, on Dispatch 15, indicating a person with a firearm was running from them. Witness Trevillyan updated their location, and advised they were in foot pursuit, near 130th Street, Longview Road, and Avenue W.

Suspect Ball continued to run southeast through the property, holding the firearm by the slide in his right hand. Witness Trevillyan followed 133rd Street which paralleled Suspect Ball's path, outside the chain link fence line. Deputy [redacted] stayed even with Witness Trevillyan and they followed Suspect Ball in a "V" formation, staying approximately 30 to 40 yards behind the suspect.

Suspect Ball began to slow down, turned his body, and looked over his shoulder several times at Deputy [redacted] and Witness Trevillyan. Suspect Ball gripped the firearm in his right hand, with his arm bent with the firearm held by his chest. They followed Suspect Ball as he went up a slope toward a clearing. Deputy [redacted] was concerned because Suspect Ball continued to turn his body and firearm toward Deputy [redacted] and Witness Trevillyan. Deputy [redacted] feared Suspect Ball was deciding which of them to engage in a gunfight. Deputy [redacted] was in fear for Witness Trevillyan's safety as Suspect Ball turned and pointed his firearm a fourth time in Witness Trevillyan's direction, through the chain link fence.

Deputy [redacted] fired one round from his firearm at Suspect Ball. Suspect Ball was hit in the right shoulder and immediately went to the ground, dropping his firearm.

Witness Trevillyan broadcasted over the radio there had been a deputy involved shooting and climbed over the chain link fence along 133rd Street to assist Deputy [redacted]. They converged, and approached Suspect Ball and secured the firearm. The firearm was later determined to be a CO_2 pressurized BB gun.

Witness Trevillyan provided cover for Deputy [redacted] and he requested for the fire department, additional units, and for a sergeant to respond to the area and to secure their patrol vehicle. Deputy [redacted] provided aid to Suspect Ball until the fire department personnel responded. Suspect Ball was transported to Antelope Valley Hospital where he was treated for his gunshot wound.

Additional units arrived and secured the scene. Deputy [redacted] and Witness Trevillyan provided a brief account to field sergeants, Sergeant [redacted] (Witness [redacted] and Sergeant Marc Mrakich (Witness Mrakich). Deputy Marshall and Witness Trevillyan were transported to Palmdale Station, where they were sequestered until they were interviewed by Homicide investigators.

DISTRICT ATTORNEY'S LETTER OF OPINION

The Justice System Integrity Division of the Los Angeles County District Attorney's Office reviewed the shooting of Suspect Ball by Deputy [redacted]. In their Letter of Opinion, dated November 23, 2020 **[EXHIBIT B]**, Head Deputy District Attorney Shannon Presby concluded "Deputy [redacted] acted in lawful self-defense and defense of another when he used deadly force against Robert Ball." There would be no further action from the District Attorney's Office.

INVOLVED EMPLOYEE AND WORK HISTORY

[redacted], Deputy Sheriff, # [redacted]
North Patrol Division
Palmdale Station

Work History

Date of Employment: [redacted]
Date Assigned to Palmdale Station:
Date Completed Patrol Training:
Prior Shooting Incident(s):
Prior Category-3 Force Incident(s):

Equipment Worn On Person

Oleoresin Capsicum (OC) Spray
Key ring
Smith & Wesson M&P
Two handcuff cases
Tourniquet
Radio holder
Two ammo magazine pouches with ammo magazines
Flash light

SUSPECT INFORMATION

Robert Michael Ball
Male, White, DOB: March 31, 1989; 5'10"; 175 pounds
[redacted]
CII# [redacted], FBI # [redacted], MAIN # [redacted]

> **IAB Note:** The Consolidated Criminal History Reporting System (CCHRS) revealed Suspect Ball had [redacted]. A copy of Suspect Ball's criminal history is included in the Homicide Investigation Book **[EXHIBIT A, Homicide Casebook, pages 81 to 112]**.

SUSPECT'S INJURIES

Suspect Ball was treated at Antelope Valley Hospital for a gunshot wound, and cleared for booking. The suspect sustained an entry and exit gunshot wound to his right shoulder which fractured the Humerus. Refer to Suspect Robert Ball's Jail Medical Records **[EXHIBIT C, Suspect Ball's Jail Medical Records]**.

> **IAB Note:** IAB Investigators were unable to obtain a consent from Suspect Ball for the release of his medical records from Antelope Valley Hospital.

DEPUTY PERSONNEL INJURY

Deputy [redacted] and Witness Trevillyan were uninjured.

Forensic Identification Specialists (FIS) Yvette Gonzalez from the Los Angeles County Sheriff's Department Scientific Services Bureau responded to Palmdale Station and photographed Deputy [redacted] and Witness Trevillyan **[EXHIBIT D, Crime Lab Photographs]**.

PHYSICAL EVIDENCE

All physical evidence was measured, photographed, and collected at the scene by FIS Cathy Johnson, and FIS Yvette Gonzalez, from the Los Angeles County Sheriff's Scientific Services Bureau. Homicide Detectives Teri Bernstein, and Kasey Woodruff, assisted FIS Johnson and FIS Gonzalez with the collection of evidence. For descriptions of the evidence collected and where it was collected, see the Homicide Investigation Book **[EXHIBIT A, Homicide Casebook, pages 116 to 120]**.

INVESTIGATOR'S OBSERVATIONS

Approximately four hours had elapsed from the shooting to IAB Investigator's observations. The crime scene was described in detail by Homicide investigators **[EXHIBIT A, pages 20 to 22]**. Their description of the crime scene was consistent with IAB investigators' observations. The crime scene was also photographed and documented by the Scientific Services Bureau personnel **[EXHIBIT D, Crime Lab Photographs]**.

WEAPONS USED BY DEPUTY [redacted]

Deputy [redacted] fired one round of Department-issued 9mm ammunition from his Department authorized, Smith & Wesson M&P, semiautomatic pistol. The firearm was examined by Senior Criminalist Phil Teramoto, of the Scientific Services Bureau Firearms Identification Section and found to be functional **[EXHIBIT A, Homicide Casebook, pages 114 and 115]**.

Deputy [redacted]

Date last qualified: [redacted]
Date last trained with firearm:

WEAPONS USED BY SUSPECT ROBERT BALL

Suspect Ball possessed an "Umarex 9xP 4.5mm CAL" firearm, which was later determined to be a CO2 pressurized BB gun.

PROPERTY DAMAGE

Deputy [redacted]s radio antenna was damaged during the incident. Deputy [redacted] believed the damage occurred when he exited the patrol vehicle and the radio antenna was caught in the seatbelt. IAB Investigator observed the damaged antenna in Crime Lab Photographs **[EXHIBIT D, Crime Lab Photographs, Photo 404a8226pic01]**. Deputy [redacted]s Class B right pant leg was torn above the knee during the incident. It is unknown how the damage occurred **[EXHIBIT D, Crime Lab Photographs, Photo 404a8230pic01]**.

CRIMINAL INVESTIGATORS AND CHARGES FILED

The criminal investigation into the shooting was handled by Homicide Detective Alfred Jaime of the Los Angeles County Sheriff's Department's Homicide Bureau. On June 18, 2019, criminal charges were filed on Suspect Ball for the following offenses:

- Driving or Taking a Vehicle without Consent, violation of Vehicle Code section 10851(a), a felony.

- Fleeing a Pursuing Peace Officer's Motor Vehicle while Driving Recklessly, violation of Vehicle Code 2800.2, a felony.
- Resisting, Delaying, or Obstructing a Peace Officer, violation of Penal Code 148 (a) (1), a misdemeanor.
- Brandishing a Replica Gun, violation of Penal Code 417.4, a misdemeanor.

Additionally, Detective Jaime alleged Suspect Ball had [redacted] The Felony Complaint is included the Homicide Book **[EXHIBIT A, Homicide Casebook, pages 75- 80]**.

On July 31, 2019, Suspect Ball plead no contest to 10851(a) VC and 2800.2 VC and sentenced to 44 months of State Prison.

LIGHTING AND WEATHER CONDITIONS

The shooting occurred in a sparsely populated open desert area, west of 133rd Street East, across from an abandoned residence at [redacted]. The shooting occurred during the early evening hours at 1901 hours. There was no street lights at the scene.

> **IAB Note:** Per Almanac records, on June 14, 2019, sunset was at 2005 hours in the Pearblossom area **[Almanac Record, Miscellaneous Documents].**

RADIO TRANSMISSIONS

IAB investigators obtained and reviewed all radio traffic and cold-line communication associated with the foot pursuit and deputy-involved shooting of Suspect Ball from 1900 hours to 1934 hours. Witness Trevillyan, along with responding units, utilized the SCC Dispatch Channel 15 radio frequency on the duplex patch. The radio traffic communications were uploaded to a compact disc and included in the case book **[Exhibit E, Dispatch 15 and Coldline Radio Traffic Audio]**.

The following is a brief synopsis of the radio transmission audio clips.
Dispatch Channel 15 (1900 hours to 1934 hours)

7:00:20 PM- (00:00:00) Radio traffic recording started (subsequent times are based on the audio player time stamp).

(00:00:12)- Unit 268S (Witness Trevillyan) requested the patch and advised a "417" (Person with a gun) suspect was running from them.

(00:00:30) Unit 268S advised their location was 130th Street East, Longview Road and Avenue W. Witness Trevillyan advised they were in a foot pursuit and were headed southbound.

(00:00:50) Unit 265A and additional unit advised they were responding in less than one minute.

(00:00:57) Unit 260S (Witness Mrakich) advised he was responding.

(00:01:13) Unit 268S (Witness Trevillyan) advised they were still running southbound.

(00:01:27) Unit 268S (Witness Trevillyan) advised "998" (Deputy involved shooting). He stated all deputies were accounted for and provided the suspect's clothing description.

(00:02:19) Unit 268S (Witness Trevillyan) advised they were Code-4 (No further assistance needed), requested a field sergeant to continue to respond and "902R" (Rescue responding) for the suspect. He requested responding units to locate them south of their radio vehicle.

(00:03:03)- Aero advised they were responding from Santa Clarita Valley Station.

(00:09:01) Unit 268S (Witness Trevillyan) provided their updated location as 133rd Street East and Avenue V-12.

(00:11:01) Unit 265A advised they were at location and were with Unit 268S's radio vehicle and were securing it.

(00:13:02) Unit 265A advised they were with Unit 268S.

(00:14:00) Units [redacted] (Witness [redacted] and 260S (Witness Mrakich) both advised they were still responding to the location Code-3 (Emergency-Red lights and sirens).

(00:15:21) Unit 260S advised he had arrived at the incident location.

(00:16:10) Command Post established at Pearblossom Highway and Longview Road.

Cold Line Communication

At 7:00.50 P.M. (00:03:41 audio player time stamp), the Palmdale Station Watch Commander, Witness De Jong, connected the "Cold Line" and spoke to personnel at the Sheriff's Communication Center (SCC). Witness De Jong

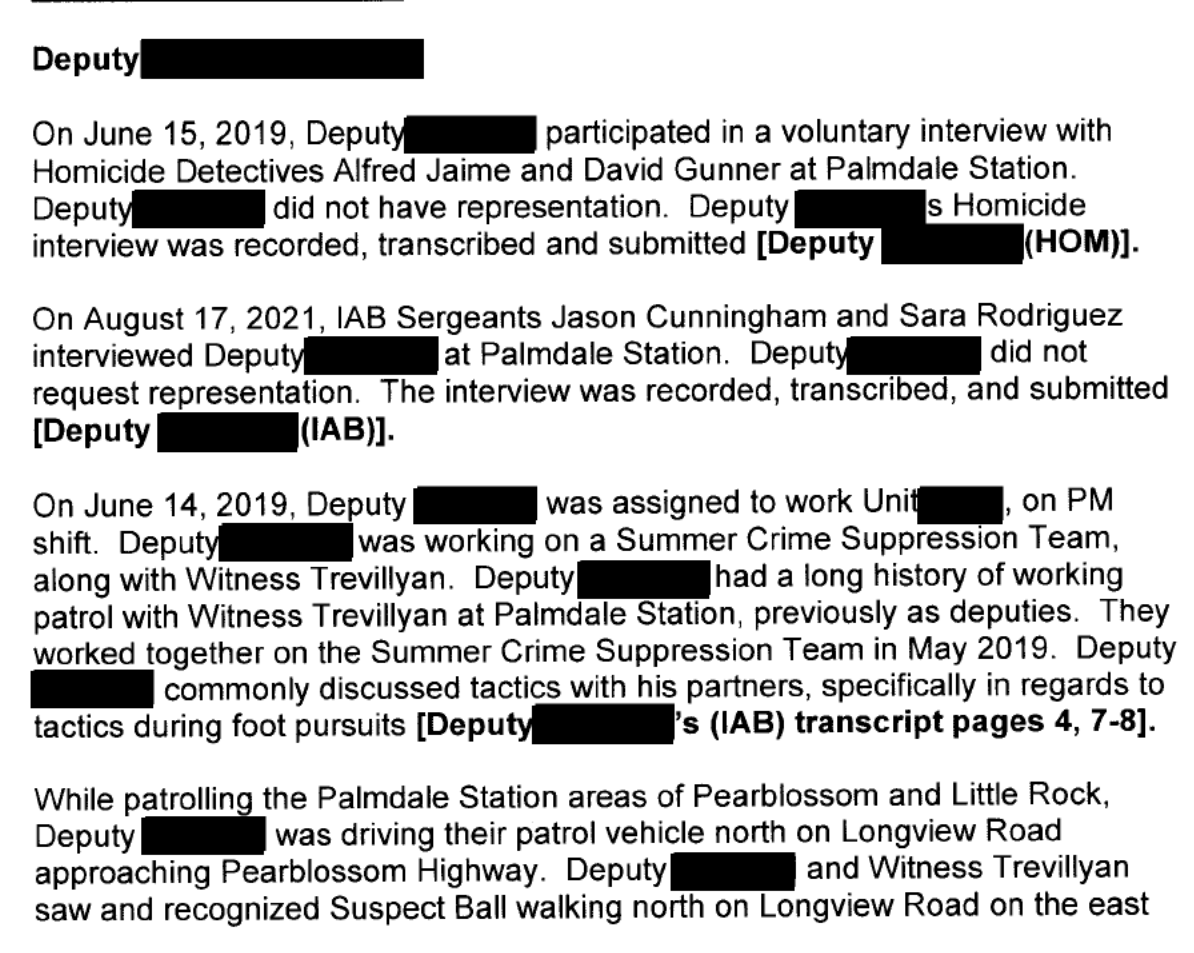
immediately advised there was a unit, with a sergeant, involved in foot pursuit and he requested Aero Bureau resources and the call was disconnected. The Watch Deputy, Deputy Amber Little, immediately called the SCC Bridge back and Witness De Jong established a connection with SCC personnel and confirmed the situation was "Code-4," rescue personnel were responding, Aero Bureau was responding, and ascertained the location of the incident. He additionally requested SCC ensure a deputy went to the radio vehicle of the involved personnel. Witness De Jong stated he was immediately responding to the location.

> **IAB Note:** Deputy [redacted] and Witness Trevillyan were not wearing body worn cameras nor had they been issued at the time of this incident.

STATEMENTS

The following interviews were recorded and transcribed. For more information and precise wording, refer to the Compact Disc submitted with this case containing the verbatim interview transcriptions and audio recordings. The following narrative contains summaries of the interviews:

INVOLVED PERSONNEL



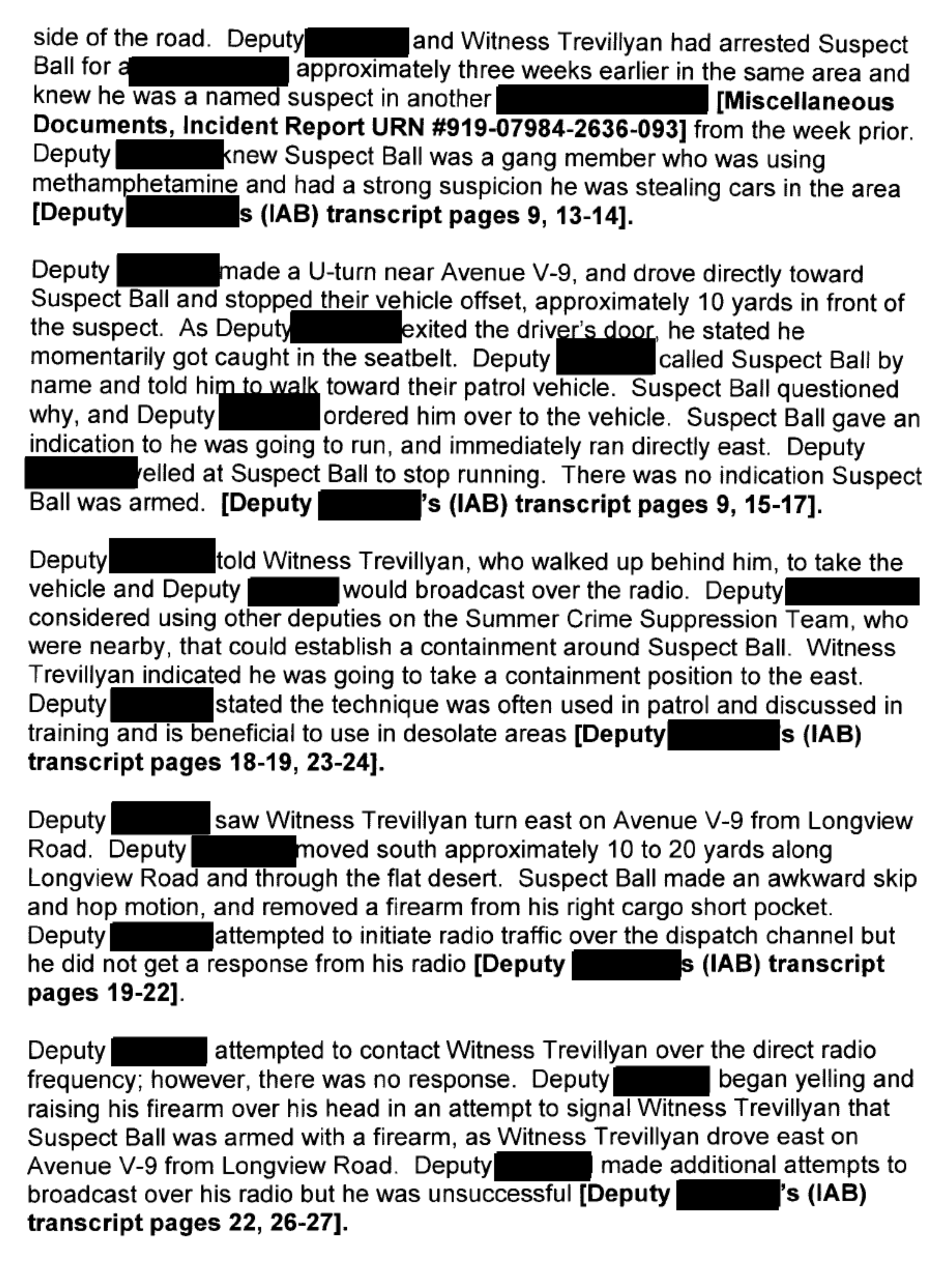
Deputy [redacted]

On June 15, 2019, Deputy [redacted] participated in a voluntary interview with Homicide Detectives Alfred Jaime and David Gunner at Palmdale Station. Deputy [redacted] did not have representation. Deputy [redacted]s Homicide interview was recorded, transcribed and submitted **[Deputy [redacted] (HOM)].**

On August 17, 2021, IAB Sergeants Jason Cunningham and Sara Rodriguez interviewed Deputy [redacted] at Palmdale Station. Deputy [redacted] did not request representation. The interview was recorded, transcribed, and submitted **[Deputy [redacted] (IAB)].**

On June 14, 2019, Deputy [redacted] was assigned to work Unit [redacted], on PM shift. Deputy [redacted] was working on a Summer Crime Suppression Team, along with Witness Trevillyan. Deputy [redacted] had a long history of working patrol with Witness Trevillyan at Palmdale Station, previously as deputies. They worked together on the Summer Crime Suppression Team in May 2019. Deputy [redacted] commonly discussed tactics with his partners, specifically in regards to tactics during foot pursuits **[Deputy [redacted]'s (IAB) transcript pages 4, 7-8].**

While patrolling the Palmdale Station areas of Pearblossom and Little Rock, Deputy [redacted] was driving their patrol vehicle north on Longview Road approaching Pearblossom Highway. Deputy [redacted] and Witness Trevillyan saw and recognized Suspect Ball walking north on Longview Road on the east



side of the road. Deputy [redacted] and Witness Trevillyan had arrested Suspect Ball for a [redacted] approximately three weeks earlier in the same area and knew he was a named suspect in another [redacted] **[Miscellaneous Documents, Incident Report URN #919-07984-2636-093]** from the week prior. Deputy [redacted] knew Suspect Ball was a gang member who was using methamphetamine and had a strong suspicion he was stealing cars in the area **[Deputy [redacted]s (IAB) transcript pages 9, 13-14].**

Deputy [redacted] made a U-turn near Avenue V-9, and drove directly toward Suspect Ball and stopped their vehicle offset, approximately 10 yards in front of the suspect. As Deputy [redacted] exited the driver's door, he stated he momentarily got caught in the seatbelt. Deputy [redacted] called Suspect Ball by name and told him to walk toward their patrol vehicle. Suspect Ball questioned why, and Deputy [redacted] ordered him over to the vehicle. Suspect Ball gave an indication to he was going to run, and immediately ran directly east. Deputy [redacted] yelled at Suspect Ball to stop running. There was no indication Suspect Ball was armed. **[Deputy [redacted]'s (IAB) transcript pages 9, 15-17].**

Deputy [redacted] told Witness Trevillyan, who walked up behind him, to take the vehicle and Deputy [redacted] would broadcast over the radio. Deputy [redacted] considered using other deputies on the Summer Crime Suppression Team, who were nearby, that could establish a containment around Suspect Ball. Witness Trevillyan indicated he was going to take a containment position to the east. Deputy [redacted] stated the technique was often used in patrol and discussed in training and is beneficial to use in desolate areas **[Deputy [redacted]s (IAB) transcript pages 18-19, 23-24].**

Deputy [redacted] saw Witness Trevillyan turn east on Avenue V-9 from Longview Road. Deputy [redacted] moved south approximately 10 to 20 yards along Longview Road and through the flat desert. Suspect Ball made an awkward skip and hop motion, and removed a firearm from his right cargo short pocket. Deputy [redacted] attempted to initiate radio traffic over the dispatch channel but he did not get a response from his radio **[Deputy [redacted]s (IAB) transcript pages 19-22]**.

Deputy [redacted] attempted to contact Witness Trevillyan over the direct radio frequency; however, there was no response. Deputy [redacted] began yelling and raising his firearm over his head in an attempt to signal Witness Trevillyan that Suspect Ball was armed with a firearm, as Witness Trevillyan drove east on Avenue V-9 from Longview Road. Deputy [redacted] made additional attempts to broadcast over his radio but he was unsuccessful **[Deputy [redacted]'s (IAB) transcript pages 22, 26-27].**

> **IAB Note:** The "Direct" radio frequency is a line of sight radio transmission used during close proximity tactical communications.

Deputy [redacted] was in "sheer panic" because he had no communication, and Suspect Ball was running toward Witness Trevillyan's position with the firearm, which he was unaware of it. Deputy [redacted] wanted to ensure he could assist Witness Trevillyan if the suspect chose to engage in a confrontation, and provide aid if required **[Deputy [redacted]'s (IAB) transcript pages 25-27]**.

Deputy [redacted] decided to initiate a foot pursuit of Suspect Ball when he was approximately 40 to 50 yards ahead. Deputy [redacted] stayed approximately 30 to 40 yards behind Suspect Ball as he ran east and northeast toward Pearblossom Highway. Deputy [redacted] saw Witness Trevillyan drive past Suspect Ball, and stopped his vehicle. Deputy [redacted] slowed down to keep a distance between himself and Suspect Ball and to avoid a crossfire angle with Witness Trevillyan. When Witness Trevillyan exited the patrol vehicle, Suspect Ball turned and ran directly south toward Avenue V-10 **[Deputy [redacted]'s (IAB) transcript pages 27-29]**.

Suspect Ball jumped the chain link fence south of Avenue V-10 and fell onto the ground on the other side. Deputy [redacted] saw Witness Trevillyan holding the suspect at gunpoint, and he decided to go over the fence to be in a better position to approach the suspect or re-assess contacting him if he was cooperative. Deputy [redacted] went over the fence approximately 30 yards from the suspect's position on the ground **[Deputy [redacted]'s (IAB) transcript pages 28-31, 33-35]**.

Suspect Ball unexpectedly got up and continued running southeast. Deputy [redacted] approached Witness Trevillyan and they were able to communicate with each other. Witness Trevillyan asked Deputy [redacted] what happened to the radio communication. Deputy [redacted] said his radio was broken and Witness Trevillyan had to initiate the radio broadcast. Deputy [redacted] told Witness Trevillyan Suspect Ball had a firearm. Witness Trevillyan replied he was aware of the firearm. Deputy [redacted] stated Witness Trevillyan then got on the radio and "began putting out information" **[Deputy [redacted]'s (IAB) transcript pages 10, 35]**.

As Suspect Ball continued to run southeast, Deputy [redacted] and Witness Trevillyan followed in a "V" formation approximately 30 to 40 yards behind him. Deputy [redacted] saw Suspect Ball running while holding the firearm by the rail slide, "like a hammer." Suspect Ball began to slow and began to turn to look over his shoulder at Deputy [redacted] and Witness Trevillyan. Suspect Ball changed his hand position and held onto the pistol grip of the firearm with his right hand up near his chest. Suspect Ball turned and bladed his body and firearm toward Witness Trevillyan **[Deputy [redacted]'s (IAB) transcript pages 36-38]**.

Suspect Ball continued running and turned toward Deputy [redacted] a third time. The suspect appeared to express frustration and turned toward Witness Trevillyan again. Deputy [redacted] became concerned Suspect Ball was deciding

which of them to engage and shoot first. Suspect Ball continued running up a small embankment, approaching a clearing. Deputy [redacted] went up the embankment and saw Suspect Ball go behind some tall bushes. Suspect Ball turned his upper body toward Deputy [redacted] and kept his firearm across his body and then turned toward Witness Trevillyan **[Deputy [redacted]s (IAB) transcript pages 39-40, 43]**.

Deputy [redacted] felt he was approaching an area with no cover or concealment. He felt he had cover back down the embankment if he retreated backward. Deputy [redacted] felt Suspect Ball became committed to shooting one of them. The suspect changed his grip on the firearm, kept turning his body, and kept pointing the firearm muzzle toward Witness Trevillyan. Deputy [redacted] stated Suspect Ball's actions were a deadly force situation and he decided to take action to prevent the suspect from shooting Witness Trevillyan and himself **[Deputy [redacted]'s (IAB) transcript pages 41, 44]**.

Deputy [redacted] was approximately 25 yards away from Suspect Ball and described how he planted his feet, deliberately took aim at the suspect's center mass, and smoothly pulled his trigger one time. The backdrop was a gentle upslope of desert. His shot was effective as Suspect Ball threw up his arm and fell to the ground. After shooting at Suspect Ball one time, Deputy [redacted] assessed whether the force was effective and it appeared to be. **[Deputy [redacted]s (HOM) transcript page 5, Deputy [redacted]'s (IAB) transcript pages 46-48]**.

> **IAB Note:** Deputy [redacted] marked the positioning of himself, Witness Trevillyan and Supect Ball at the time of the shooting on an aerial overhead photo **[Exhibit F, Marshall #3].**

Witness Trevillyan asked Deputy [redacted] if he shot at the suspect. Witness Trevillyan climbed over the fence to approach the suspect. Deputy [redacted] and Witness Trevillyan approached the suspect together in a "V" pattern converging as they got closer to the suspect. As they approached, Deputy [redacted] gave Suspect Ball commands not to move. Although Deputy [redacted] left his Taser in the vehicle, he still considered the approach of Suspect Ball to be a deadly force situation and did not consider deploying any less lethal options during their approach **[Deputy [redacted]'s (IAB) transcript pages 6, 46, 48-49]**.

The firearm was out of Suspect Ball's reach. Deputy [redacted] and Witness Trevillyan ensured the firearm was secure by stepping onto it and moving it away from Suspect Ball. Deputy [redacted] saw blood coming from the right side of Suspect Ball's chest. Deputy [redacted] cut off the suspect's shirt and used it to apply pressure to the wound. Witness Trevillyan used his radio and requested additional resources and fire department personnel respond to the location. Deputy [redacted] continued to speak to Suspect Ball as he searched the suspect **[Deputy [redacted]'s (IAB) transcript pages 49-52]**.

Witness [redacted] arrived and ensured Deputy [redacted] and Witness Trevillyan they were uninjured and there were enough units to preserve and contain the scene. Witness [redacted] asked for a brief account of the foot pursuit and the shooting to provide investigators and for a public safety statement. While at the scene, Deputy [redacted] kept checking his radio, but it never worked. He later realized the antenna was bent above the post. Deputy [redacted] was taken back to the station and sequestered until he was interviewed by Homicide Detectives Gunner and Jaime **[Deputy [redacted]s (IAB) transcript pages 52-53, 55]**.

IAB Investigators provided Deputy [redacted] with several photographs of the scene from the Crime Lab and Google satellite photos of the area ([redacted]l 1-3"). Deputy [redacted] drew his path of travel on the overhead view photograph in black marker. He drew the suspect's approximate path in red and Witness Trevillyan's approximate path in blue. Deputy [redacted] estimated his foot pursuit of the suspect was approximately a quarter mile and lasted approximately a minute and a half to two minutes **[Deputy [redacted]s (IAB) transcript page 56]**. Deputy [redacted] stated the scene depicted in photo titled '[redacted]4" was a similar representation of Deputy [redacted]l's view when he engaged Suspect Ball **[Deputy [redacted]'s (IAB) transcript pages 41-42]**. The photos were submitted as **[Exhibit F, Interview Photographs marked by Deputy [redacted], [redacted] 1 - [redacted] 4]**.

<u>EMPLOYEE WITNESSES</u>

Sergeant Jason Trevillyan

On June 15, 2019, Witness Trevillyan participated in a voluntary interview with Homicide Detectives Alfred Jaime and David Gunner at Palmdale Station. Witness Trevillyan did not have representation. Witness Trevillyan's Homicide interview was recorded, transcribed, and submitted **[Witness Trevillyan (HOM)]**.

On August 17, 2021, IAB Sergeants Jason Cunningham and Sara Rodriguez interviewed Witness Trevillyan at Palmdale Station. Witness Trevillyan did not request representation. The interview was recorded, transcribed, and submitted **[Witness Trevillyan (IAB)]**.

Witness Trevillyan was promoted to sergeant in December 2014 and transferred to patrol at Palmdale Station in December of 2018. On June 14, 2019, Witness Trevillyan was the sergeant for the Palmdale Station Summer Crime Suppression Team, and was partnered with Deputy [redacted] as Unit 268S. Witness Trevillyan described a working history with Deputy [redacted] while on patrol and specifically selected him to work with on the team. Witness Trevillyan and Deputy [redacted] had a "standing way of practice" for engaging foot pursuits, stating, "If something were to happen and he needed me on foot, he would be the person that's better to be on foot. I would be better in a car. We talked about radio usage. He

[redacted] would be the primary for the radio in most circumstances" **[Witness Trevillyan's (IAB) transcript pages 2-4, 6]**.

At approximately 1900 hours, Witness Trevillyan and Deputy [redacted] were conducting routine patrol and were travelling north on Longview approaching Pearblossom Highway in their marked patrol unit. At approximately Avenue V-10, they passed a male pedestrian who was walking on the shoulder on the road in their same direction. Witness Trevillyan and Deputy [redacted] immediately recognized the male as Suspect Ball. Witness Trevillyan stated Suspect Ball was distinguishable because of tattoos on his face and neck. Witness Trevillyan knew Suspect Ball was a gang member, but he had no indication the suspect could be armed with a firearm **[Witness Trevillyan's (IAB) transcript pages 7-10]**.

Deputy [redacted] was driving the patrol vehicle and made a U-turn just past Suspect Ball. Deputy [redacted] drove toward Suspect Ball on the east side of Longview Road, between Avenue V-9 (128th Street) and Avenue V-10, facing south. Deputy [redacted] exited the patrol vehicle and contacted Suspect Ball, who was near the front bumper of the patrol vehicle. Suspect Ball gave indications he was going to flee by moving toward the open desert and by questioning why he was being stopped. Witness Trevillyan exited the passenger side of the vehicle, and went around the back of the car toward Deputy [redacted] near the driver's door. Witness Trevillyan went around the back of the car because he wanted to position himself between the suspect and Pearblossom Highway in case the suspect ran. Suspect Ball immediately began to run east between Avenue V-9 (128th Street) and Avenue V-10. There was no indication Suspect Ball was armed with a firearm **[Witness Trevillyan's (IAB) transcript pages 11-12]**.

> **IAB Note:** IAB Investigator provided a Google satellite map to Witness Trevillyan. He noted Avenue V-9 was marked as 128th Street on the provided map.

Deputy [redacted] told Witness Trevillyan to take the patrol vehicle, who told Deputy [redacted] to "take the radio" **[Witness Trevillyan's (IAB) transcript pages 13-14]**. Witness Trevillyan described the plan was to set up a perimeter around the suspect with Deputy [redacted] staying to the west of the suspect, and Witness Trevillyan attempting to get to a position east of him in the radio car. Together they would adjust their positioning to keep the suspect in their view and within their perimeter until enough units could arrive and establish a containment, and take the suspect into custody. Witness Trevillyan and Deputy [redacted] split partners about three-tenths of a mile, but with the intent to only contain the suspect and not to apprehend him **[Witness Trevillyan's (IAB) transcript pages 13-14, 16]**.

Witness Trevillyan got into the patrol vehicle, made a U-turn and drove east on Avenue V-9 (128th Street). As he drove on the road, he saw Deputy [redacted] following some distance behind the suspect. Witness Trevillyan heard the busy tone on the radio and assumed Deputy [redacted] was broadcasting the required information. Suspect Ball ran east and veered northeast toward Witness Trevillyan's radio car. Witness Trevillyan stopped his patrol vehicle approximately two-tenths of a mile, east of Longview Road, on Avenue V-9. Witness Trevillyan exited his vehicle and ordered Suspect Ball to stop and to get on the ground while on the driver's side of the vehicle, utilizing it for cover and concealment. Suspect Ball turned and ran south away from Witness Trevillyan. Witness Trevillyan was approximately 30 to 40 feet away from Suspect Ball and Deputy [redacted] was approximately 20 to 30 feet behind the suspect. Witness Trevillyan was still unaware Suspect Ball was armed **[Witness Trevillyan's (IAB) transcript pages 17-21]**.

Witness Trevillyan followed Suspect Ball approximately a tenth of a mile, southbound, to Avenue V-10 where there was a chain-link, fenced in, area. The suspect went over the chain link fence and fell to the ground on the other side. Witness Trevillyan saw a black semi-automatic firearm and a cell phone land on the ground. Witness Trevillyan stayed north of the fence line, approximately 10 to 15 feet away near some bushes. He detained the suspect at gunpoint through the chain link fence and gave him Ball commands to stay on the ground **[Witness Trevillyan's (IAB) transcript pages 18, 23-25]**.

Witness Trevillyan noticed he was hearing routine radio traffic and yelled out to Deputy [redacted], who was approaching from the west, north of the fence, "What's going on with the radio?" Deputy [redacted] yelled back his radio was broken. Witness Trevillyan requested emergency radio clearance. Witness Trevillyan recalled broadcasting he was in foot pursuit of an armed suspect, their location, and direction of travel **[Witness Trevillyan's (IAB) transcript page 19]**.

Suspect Ball grabbed the firearm by the slide in his right hand and continued to run southeast, paralleling a fence and a road. Witness Trevillyan decided not to go over the fence because he did not want to fall down like the suspect had and be at a disadvantage. Witness Trevillyan followed the suspect along the road (133rd Street). Witness Trevillyan saw Deputy [redacted] had entered the fenced in area, south of Avenue V-10, approximately 30 to 40 feet to the west of him. Witness Trevillyan and Deputy [redacted] then paralleled each other, staying behind the suspect. Witness Trevillyan stated Deputy Marshall was yelling "417" indicating the suspect was armed with a firearm **[Witness Trevillyan's (IAB) transcript pages 26-29].**

Witness Trevillyan noticed Suspect Ball appeared to be tiring and slowing his pace. Also, his "body positioning became that he was trying to track" Witness Trevillyan and Deputy [redacted] **[Witness Trevillyan's (IAB) transcript page 29]**. The suspect kept his firearm in his right hand with his elbow bent 90

degrees and he kept turning his upper body to the left and right looking over his shoulder at both of them. Witness Trevillyan stated they continued to give Suspect Ball commands to stop, drop the firearm, and get on the ground **[Witness Trevillyan's (IAB) transcript pages 29-30, 33]**.
Witness Trevillyan updated their location and direction of travel, and heard over the radio numerous patrol units indicate they were responding. Witness Trevillyan kept his firearm's muzzle pointed toward Suspect Ball and stated there was no concern of crossfire due to the suspect and Deputy [redacted]s positioning.

> **IAB Note:** Witness Trevillyan marked a satellite photo **[Exhibit I]** to show their positioning at the time of the shooting. He initialed "G.S." for "gunshot" indicating his positioning when he heard the gunshot, "Z. M." for Deputy [redacted] and "Ball" for the suspect's positioning. The positioning appeared to be triangular **[Witness Trevillyan's (IAB) transcript pages 35-36]**.

Witness Trevillyan stated they approached a small slope and that led to a flat clearing with less cover and concealment, however, the slope itself provided cover and concealment. Witness Trevillyan saw Deputy [redacted] directly to his west and saw the suspect's silhouette as he veered west around a bush and then heard a gunshot **[Witness Trevillyan's (IAB) transcript pages 31-35]**.

Witness Trevillyan yelled out to Deputy [redacted] and asked if he shot. Deputy [redacted] replied he had shot. Witness Trevillyan saw the suspect fall to the ground. Witness Trevillyan went over the fence so he could be on the same side as Deputy [redacted] to form a team and evaluate the situation to provide care if needed. Witness Trevillyan and Deputy [redacted] "closed the distance" between each other, and together they approached the suspect, who was on his back. As they approached, they saw the firearm on the ground out of the suspect's reach. Witness Trevillyan secured the firearm by stepping on it and held Suspect Ball at gunpoint to provide cover for Deputy [redacted] who contacted the suspect, searched him, and provided first aid. Witness Trevillyan made the decision to approach Suspect Ball because responding units were at least three minutes away and they took advantage the suspect was "semi-cooperative" and he could "bleed out" **[Witness Trevillyan's (IAB) transcript pages 36-41]**.

Witness Trevillyan broadcasted there was a deputy involved shooting over the radio and requested rescue personnel, and stated all deputies were accounted for **[Witness Trevillyan's (IAB) transcript pages 37, 46-47]**.

Suspect Ball had a gunshot wound to his shoulder. Although he was initially angry about being shot, he became cooperative with Witness Trevillyan and Deputy [redacted] They decided not to handcuff the suspect because of his injury and his demeanor **[Witness Trevillyan's (IAB) transcript pages 40-41]**.

Witness Trevillyan later reported his route of travel during the foot pursuit and information for a public safety statement to the responding field sergeant. He was transported back to Palmdale Station where he was sequestered and interviewed by Homicide detectives. Witness Trevillyan stated Deputy [redacted]s radio was later discovered to be inoperable **[Witness Trevillyan's (IAB) transcript pages 42-44]**.

> **IAB Note:** Witness Trevillyan provided photographs of the damage to Deputy [redacted]s radio antenna following the interview **[Exhibit G, Photographs of Deputy [redacted]'s Radio Antenna]**.

Witness Trevillyan drew his path of travel on a Google Satellite view photograph in red marker for IAB investigators. Witness Trevillyan estimated the overall foot pursuit distance was half a mile and lasted approximately two to three minutes **[Witness Trevillyan's (IAB) transcript pages 48-49]**. He drew the suspect's approximate path in black and Deputy [redacted]s approximate path in blue. The photo was submitted as **[Exhibit H, Interview Photograph marked by Witness Trevillyan]**.

Sergeant [redacted]

On August 20, 2021, IAB Sergeant Jason Cunningham interviewed Witness [redacted]by telephone. On June 14, 2019, Witness [redacted]was assigned to Narcotics Bureau and was working overtime at Palmdale Station. He was assigned as a field sergeant, supervising patrol units on the eastside of Palmdale and the east lying county areas.

Witness [redacted] recalled being at another call for service when he heard radio traffic of a foot pursuit by Witness Trevillyan. Witness [redacted]recalled the radio traffic was clear and concise and indicated the location of the foot pursuit. Witness [redacted]responded lights and siren to Longview Road and Avenue V-10. It took Witness [redacted] approximately 15 to 18 minutes to arrive **[Witness [redacted]s transcript pages 3-4]**.

Witness [redacted] arrived after the shooting occurred. He spoke to Witness Trevillyan and Deputy[redacted]to check on their condition as paramedics provided medical aid to the suspect.

Deputy [redacted]and Witness Trevillyan provided him a brief account of the incident, identified where the shooting occurred, and required information for a public safety statement. Witness[redacted] did not speak to the suspect or see the suspect's injuries **[Witness Carter's transcript page 5]**.

Deputy [redacted]and Witness Trevillyan told Witness [redacted]they were driving on Longview Road and recognized a wanted suspect for a possession of a stolen vehicle. As they drove toward the suspect, the suspect immediately ran

eastbound through some shrubs along Avenue V-10. Witness Trevillyan and Deputy [redacted] attempted to "corral" the suspect to keep him from eluding the perimeter **[Witness [redacted]s transcript page 6]**.

Deputy [redacted] said during the foot pursuit, the suspect made motions turning his body and firearm toward and away from him. Deputy [redacted] was in fear the suspect was going to shoot Witness Trevillyan or himself. Deputy [redacted] took direct aim and fired his weapon from approximately thirty yards away **[Witness [redacted]s transcript page 8]**.

Witness [redacted] maintained crime scene integrity and requested the perimeter be "tightened up" **[Witness [redacted]s transcript page 5]**. He arranged for the involved personnel to be transported to the station and sequestered. Witness Mrakich arrived on scene and Witness [redacted] passed on the information regarding the incident. Witness Mrakich assumed control of the incident and Witness [redacted] returned to the field to supervise routine patrol units **[Witness [redacted]'s transcript pages 5, 7]**.

Witness Marc Mrakich

On August 25, 2021, IAB Sergeant Jason Cunningham interviewed Witness Marc Mrakich at Century Station. On June 14, 2019, Witness Mrakich was assigned to Palmdale Station as a sergeant and was working as a field sergeant, supervising patrol units on the west side of Palmdale Station's service area.

Witness Mrakich was alerted to the incident when he heard emergent radio traffic of a foot pursuit of an armed suspect in the area of Longview Road and Pearblossom Highway. Witness Mrakich immediately responded and arrived approximately twenty minutes later. Deputy [redacted] and Witness Trevillyan told Witness Mrakich they engaged in a foot pursuit through the desert with a suspect they had recognized. A shooting occurred when Deputy [redacted] perceived a threat and acted in self-defense when the suspect pointed a weapon at them **[Witness Mrakich's transcript pages 9-10]**.

Witness Mrakich was shown there area of the foot pursuit and where the shooting occurred. The shooting appeared to be in a "little gulley" and the backdrop of the shooting appeared to be sand **[Witness Mrakich's transcript page 4-5].** Witness Mrakich ensured there was enough deputies to contain and preserve the scene. Witness Mrakich could not recall specific details from the incident or of what he was told about the foot pursuit **[Witness Mrakich's transcript pages 5-7]**.

Witness Mrakich stated Witness [redacted] was at the location and handling the incident and he went to establish a command post near Longview and Pearblossom Highway. The Watch Commander, Witness De Jong, was notified and responded to the scene **[Witness Mrakich's transcript pages 6, 10]**.

Witness Steven De Jong

On August 30, 2021, IAB Sergeant Jason Cunningham interviewed Witness Steven De Jong at Palmdale Station. Witness De Jong was assigned as the Watch Commander at Palmdale Station during the incident.

Witness De Jong was inside the station and heard radio traffic from Witness Trevillyan stating he was in foot pursuit. Witness De Jong knew Witness Trevillyan was working with Deputy [redacted] on a Summer Enforcement Team. Witness De Jong immediately responded to the desk area and established cold line communications with the Sheriff's Communications Center. Witness De Jong monitored the foot pursuit and heard a deputy involved shooting occurred **[Witness De Jong's transcript pages 2-3]**.

Witness De Jong stated his initial phone call malfunctioned or disconnected and he immediately reconnected with the assistance of Watch Deputy Amber Little. Once connected with SCC, Witness De Jong heard Witness Trevillyan was on scene and he stated all personnel were accounted for, Aero was requested, and medical rescue was responding for the suspect. Witness De Jong ensured a deputy respond to Witness Trevillyan and Deputy [redacted]s vehicle to secure it **[Witness De Jong's transcript pages 3-4]**.

After disconnecting with SCC, Witness De Jong immediately responded to the location of the shooting which was approximately 25 to 30 minutes away from the station. Witness De Jong arrived and was provided with preliminary information concerning the foot pursuit and the shooting. Witness De Jong and Witness Mrakich established a command post and made notifications to the unit commander, division chief, and Homicide Bureau. Afterwards, Witness De Jong submitted a memorandum to Chief Kneer containing preliminary information of the incident. Witness De Jong submitted a foot pursuit evaluation form and additional supporting documents. A satellite map was included in the submitted documents which approximated the distance of the foot pursuit to 1,522 feet **[EXHIBIT I, Foot Pursuit Package Documents]**. **[Witness De Jong's transcript pages 4-7]**.

CIVILIAN WITNESSES

There were no civilian witnesses nor nearby surveillance cameras identified during the investigation.

SUSPECT STATEMENT

On June 15, 2019, Homicide investigators attempted to interview Suspect Ball at Palmdale Sheriff Station. Suspect Ball declined to be interviewed without an attorney. Detectives Jaime and Gunner did not obtain a statement from Suspect Ball.

Suspect Ball did not respond to request to be interviewed by IAB investigators **[Miscellaneous Documents, (3) Contact Letters to Suspect Ball]**.

On July 24, 2021, Suspect Ball phoned IAB Sergeant Cunningham call from (661)300-9621, and he indicated an interest in discussing the matter **[Miscellaneous Documents, Voicemail Notification Record]**. On July 27, 2021, IAB Sergeant Cunningham spoke with Suspect Ball by phone, and the suspect expressed an interest in participating in an interview but had concerns his statements would be admissible in court. Suspect Ball was working at the time and could not speak over the phone. IAB Sergeant Cunningham arranged to conduct an in-person or phone interview. Suspect Ball did not return any further calls or requests to contact the IAB investigator.



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

JACKIE LACEY • District Attorney
JOSEPH P. ESPOSITO • Chief Deputy District Attorney
VICTORIA L. ADAMS • Assistant District Attorney

JAMES GARRISON • Director

November 23, 2020

Captain Kent Wegener
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

Re: Non-Fatal Officer Involved Shooting of Robert Ball
J.S.I.D. File #19-0269
L.A.S.D. File #019-08458-2660-152

Dear Captain Wegener:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the June 14, 2019, non-fatal shooting of Robert Ball by a member of the Los Angeles County Sheriff's Department. Our detailed analysis of this incident is contained in the attached memorandum.

Very truly yours,

JACKIE LACEY
District Attorney

By

SHANNON PRESBY
Head Deputy District Attorney
Justice System Integrity Division

c: Deputy [redacted]

Hall of Justice
211 West Temple Street, Suite 1200
Los Angeles, CA 90012-3210
(213) 974-3888
Fax: (213) 626-5125
WEBSITE: http://da.co.la.ca.us

MEMORANDUM

TO: CAPTAIN KENT WEGENER
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

FROM: JUSTICE SYSTEM INTEGRITY DIVISION
Los Angeles County District Attorney's Office

SUBJECT: Non-Fatal Officer Involved Shooting of Robert Ball
J.S.I.D. File #19-0269
L.A.S.D. File #019-08458-2660-152

DATE: November 23, 2020

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the June 14, 2019, non-fatal shooting of Robert Ball by Los Angeles County Sheriff's Department (LASD) Deputy [redacted]. It is our conclusion that Deputy [redacted] acted in lawful self-defense and defense of another.

The District Attorney's Command Center was notified of the shooting on June 14, 2019, at 9:34 p.m. The District Attorney Response Team responded and was given a briefing of the shooting. A walk-through of the scene was not conducted due to the remoteness of the shooting location.

The following analysis is based on police and investigative reports, audio recorded interviews, photographic evidence and radio traffic recordings submitted to this office by Detectives David Gunner and Alfred Jaime, LASD, Homicide Bureau. [redacted] provided a voluntary statement which was considered as part of this analysis.

FACTUAL ANALYSIS

On June 14, 2019, shortly before 7:00 p.m., Sergeant Jason Trevillyan and Deputy [redacted] were on patrol in a marked black and white police vehicle, working a summer crime suppression team. [redacted] was driving north on Longview Road in the City of Pearblossom when they passed Robert Ball walking northbound on the dirt shoulder. Trevillyan and [redacted] recognized Ball from a prior arrest and knew he was a named suspect in a recent stolen vehicle case.[1]

[1] Trevillyan and [redacted] arrested Ball for [redacted] on May 16, 2019. On June 6, 2019, Ball [redacted].



Diagram of the scene

[redacted] made a U-turn and stopped the marked police vehicle to the front of Ball.[2] [redacted] exited the driver's door and told Ball, "Come over here. I need to talk to you." Ball replied, "What do you need to talk to me for?" During this time, Trevillyan walked around the rear of the police vehicle to the driver's side. [redacted] ordered Ball to place his hands on the patrol car. Ball ignored [redacted] and fled on foot eastbound through the open desert between Avenue V-9 and Avenue V-10.

[2] [redacted] irst contacted Ball at "1" on the scene diagram.



Looking east into the desert where Ball fled from the deputies between Avenue V-9 and Avenue V-10.

[redacted] ordered Ball to stop and observed Ball remove a black semiautomatic firearm from the cargo pocket of his shorts. Meanwhile, Trevillyan had entered the police car and drove north to Avenue V-9 and paralleled Ball eastbound. [redacted] attempted to broadcast his observations to Trevillyan, but his radio malfunctioned. [redacted] raised his duty weapon into the air with the mounted flashlight activated and pointed toward it in an attempt to signal to Trevillyan that Ball was armed. [redacted] chased after Ball, who was now 30 to 40 yards ahead of him. [redacted] ordered Ball to stop and drop the gun multiple times.

Ball veered to the north toward Avenue V-9 as Trevillyan passed Ball's position to the east in an attempt to cut off his progess. Trevillyan stopped the police vehicle, exited, unholstered his service weapon and ordered Ball to stop.[3] Ball turned south and ran toward Avenue V-10. Trevillyan pursued Ball on foot.

Ball approached a chain-link fence that surrounded a vacant desert lot on the south side of Avenue V-10. Ball jumped over the fence and fell to the ground.[4] At that time, Trevillyan observed a firearm in Ball's right hand. Trevillyan pointed his service weapon at Ball and yelled, "Don't move! Don't get up! Stop where you are!" Ball ignored the orders, got to his feet and continued running south through the lot. Trevillyan broadcast over the radio they were chasing an armed suspect.

---

[3] Trevillyan stopped his patrol vehicle at location "2" on the scene diagram.

[4] Ball jumped the chain link fence at location "3" on the scene diagram.



Location where Ball jumped over the chain-link fence on the south side of Avenue V-10.

[redacted] jumped over the chain-link fence 30 to 40 yards west of Ball. [redacted] pursued Ball in a southeasterly direction as Ball ran along the eastern fence line. Trevillyan paralleled Ball on a dirt road that ran along the outside of the fence. At this time, the deputies noticed that Ball was holding the gun by the slide.[5] [redacted] ordered Ball to stop running and drop the gun. Ball continued to flee and repeatedly looked over his shoulder toward the deputies.

[5] [redacted] stated that when Ball first removed the gun from his pocket, he held it by the grip.


Looking south into the fenced-in desert lot with the chain-link fence to the left of the photograph.

Ball appeared to be tiring and began to slow. During this time, [redacted] observed Ball rotate his hold on the gun from the slide to the grip. Ball then turned his entire body toward [redacted]. [redacted] believed he and Ball were about to engage in a shootout. However, Ball never pointed the gun at [redacted] and immediately turned back and continued running. Ball then looked toward Trevillyan. It appeared to [redacted] that Ball was trying to decide which deputy to shoot first.

Ball stopped and faced [redacted] a second time, and again quickly turned back to the south. Ball then extended the gun from his body and turned it toward Trevillyan. Fearing that Ball was going to shoot Trevillyan, then turn the gun on [redacted], [redacted] fired one round from his service weapon, striking Ball. Ball fell to the ground and the firearm landed approximately six inches from his right hand.[6]

Trevillyan observed Ball slow as he headed in the direction of the southern fence line. Ball continued to look back toward [redacted], who was farther away from Ball than Trevillyan. Ball appeared too fatigued to make it over the fence and Trevillyan feared that Ball would turn toward him and [redacted] with the firearm. Ball veered to the west and Trevillyan's view became partially obscured by trees and brush. At that time, Trevillyan heard one gunshot, but did not see who fired. Trevillyan yelled to [redacted] and asked [redacted] if he had fired. [redacted] confirmed that he did. Trevillyan continued south and observed Ball fall to the ground. Trevillyan jumped the fence and stepped on the gun to prevent Ball from regaining possession of it.

[6] Ball was at location "4" on the scene diagram when he was struck by gunfire.



Looking west into the desert lot from the dirt road where Trevillyan paralleled Ball.



Ball's location at the time of the shooting. The camera is facing southeast.



Ball's weapon recovered at the scene.

[redacted] began to render aid to Ball. Ball asked [redacted] why he had shot him. [redacted] told Ball he was scared and thought Ball was going to shoot him or his partner. Ball replied, "Why were you scared, it was a fake gun." Ball eventually told [redacted] that he understood why his actions would make [redacted] fearful.[7]

Injuries

Ball was transported by Los Angeles County Fire Department personnel to Antelope Valley Hospital where he was treated for a gunshot wound to the rear right shoulder area.

Weapon

Ball's weapon was a black, "Umarex 9xP 4.5mm CAL" BB-gun.

Statement of Robert Ball

On June 15, 2019, detectives contacted Ball at the Palmdale Sheriff's Station jail to conduct an interview. Ball declined to speak with the detectives.

[7] The conversation was not recorded, however, Trevillyan was present and overheard it.

Criminal Charges

Ball was charged in case MA076545 with felony violations of Vehicle Code sections 10851(a) and 2800.2, driving a stolen vehicle and recklessly fleeing from the police, which occurred on June 6, 2019. Ball was also charged with resisting a peace officer and brandishing a replica gun, misdemeanors arising from his actions on June 14, 2019. Ball pled guilty to the two felonies and was sentenced to three years and eight months in state prison on July 31, 2019. The misdemeanor charges were dismissed pursuant to the plea agreement.

THE LAW

The use of deadly force in self-defense or in defense of another is justifiable if the person claiming the right actually and reasonably believed (1) that he or the person he was defending was in imminent danger of being killed or suffering great bodily injury, (2) that the immediate use of force was necessary to defend against that danger, and (3) that he used no more force than was reasonably necessary to defend against that danger. See, CALCRIM No. 505.

A police officer may use reasonable force to effect an arrest, prevent escape, or overcome resistance of a person the officer believes has committed a crime. Penal Code section 835a. An officer "may use all the force that appears to him to be necessary to overcome all resistance, even to the taking of life; [an officer is justified in taking a life if] the resistance [is] such as appears to the officer likely to inflict great bodily injury upon himself or those acting with him." *People v. Mehserle* (2012) 206 Cal.App.4th 1125, 1146.

In evaluating whether a police officer's use of deadly force was reasonable in a specific situation, it is helpful to draw guidance from the objective standard of reasonableness adopted in civil actions alleging Fourth Amendment violations. "The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight… The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation." *Graham v. Connor* (1989) 490 U.S. 386, 396-397.

Actual danger is not necessary to justify the use of force in self-defense. If one is confronted by the appearance of danger which one believes, and a reasonable person in the same position would believe, would result in death or great bodily injury, one may act upon these circumstances. The right to self defense is the same whether the danger is real or apparent. *People v. Toledo* (1948) 85 Cal.App.2d 577, 580.

CONCLUSION

Robert Ball was wanted for driving a stolen vehicle and felony evading that had occurred eight days earlier. Ball fled from Trevillyan and [redacted] when they attempted to detain him. During the foot pursuit, Ball removed what appeared to be a black semiautomatic firearm from his pocket. Ball ignored repeated commands to stop running and drop the gun. Ball's behavior showed a desperation to avoid arrest. Instead of surrendering to the deputies, Ball turned toward Trevillyan with the gun pointed in his direction.

The fact that the weapon was a BB gun does not change the analysis in this case. The weapon was designed to look identical to a real semiautomatic firearm. In addition, there were no markings on the weapon to indicate that it was a replica. [redacted] and Trevillyan reasonably believed the firearm was real. When Ball pointed the weapon toward Trevillyan, it placed [redacted] in reasonable fear for his partner's life, as well as his own, and he responded with reasonable deadly force.

We conclude that Deputy [redacted] acted in lawful self-defense and defense of another when he used deadly force against Robert Ball. We are therefore closing our file and will take no further action in this matter.